

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,

Case No. 2:18-CR-126 JCM (DJA)

Plaintiff(s),

ORDER

v.

JOHN BARRERA,

Defendant(s).

Presently before the court is John Barrera's motion for early termination of supervised release. (ECF No. 94). The United States of America (the "government") filed a response in opposition (ECF No. 95), to which Barrera replied (ECF No. 96).

In July of 2020, Barrera pleaded guilty to one count of felon in possession of a firearm and was subsequently sentenced to time served followed by three years of supervised release. (ECF No. 94 at 1).

Barrera began supervision in September of 2020 and filed this motion for early termination of his supervised release after having served about 15 months of his 36-month term. (*Id.* at 3). Barrera has complied with all terms of his supervised release (ECF No. 95 at 6) and probation does not oppose early termination (ECF No. 94 at 4).

The court may, after considering certain factors set forth in 18 U.S.C. § 3553, terminate supervised release after one year “if it is satisfied that such action is warranted by the conduct of the defendant released and the interest of justice.” 18 U.S.C. § 3583(e)(1). The subset of factors include: (1) the nature and circumstances of the offense and the history and characteristics of the defendant, (2) the need for deterrence, (3) the need to protect the public, (4) the need to provide the defendant with educational training or medical care, and (5) any

1 pertinent Sentencing Commission policy statements. *Id.* The defendant need not show undue
2 hardship stemming from his supervision. *U.S. v. Emmett*, 749 F.3d 817, 819–20 (9th Cir.
3 2014).

4 Having considered the 18 U.S.C. 3553(a) factors, the court finds early termination
5 appropriate in this matter. The court commends Barrera on his exemplary compliance with
6 supervision and finds it in the interest of justice to terminate Barrera's supervised release at
7 this time.

8 Accordingly,

9 IT IS HEREBY ORDERED, ADJUDGED, and DECREED that Barrera's motion for
10 early termination of supervised release (ECF No. 94) be, and the same hereby is, GRANTED.

11 DATED April 8, 2022.

12 
13 James C. Mahan
14 UNITED STATES DISTRICT JUDGE

15
16
17
18
19
20
21
22
23
24
25
26
27
28